

1 COOLEY LLP
MICHAEL G. RHODES (116127) (mrhodes@cooley.com)
2 MATTHEW D. BROWN (196972) (brownmd@cooley.com)
JEFFREY M. GUTKIN (216083) (gutkinjm@cooley.com)
3 101 California Street, 5th Floor
San Francisco, CA 94111-5800
4 Telephone: (415) 693-2000
Facsimile: (415) 693-2222

5 Attorneys for Defendant FACEBOOK, INC.

6
7
8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION
11

12 ANGEL FRALEY; PAUL WANG; SUSAN
MAINZER; JAMES H. DUVAL, a minor, by
13 and through JAMES DUVAL, as Guardian ad
Litem; and WILLIAM TAIT, a minor, by and
14 through RUSSELL TAIT, as guardian ad
Litem; individually and on behalf of all others
15 similarly situated,

16 Plaintiffs,

17 v.

18 FACEBOOK, INC, a corporation; and DOES
1-100,

19 Defendants.
20

Case No. 11-CV-01726 LHK

**DECLARATION OF ANA YANG MULLER IN
SUPPORT OF FACEBOOK, INC.'s MOTION
TO DISMISS CLASS ACTION COMPLAINT**

Date: July 28, 2011
Time: 1:30 p.m.
Courtroom: 4
Judge: Hon. Lucy H. Koh
Trial date: None Set

21
22 I, Ana Yang Muller, hereby declare as follows:

23 1. I am employed by Defendant Facebook, Inc. ("Facebook"). Except as otherwise
24 noted, I have personal knowledge of the following facts and if called to testify could and would
25 testify competently thereto.

26 2. Facebook's Statement of Rights and Responsibilities (previously referred to as
27 Facebook's "Terms of Use," "Terms of Service," or "Terms") sets forth certain rights and
28

obligations of both Facebook and users of the Facebook website. The Statement of Rights and Responsibilities is posted on the Facebook website, and can be found by clicking on a link titled "Terms" at the bottom of the Facebook webpage. Attached as **Exhibit A** is a true and correct copy of the Statement of Rights and Responsibilities.

3. Attached hereto as **Exhibit B** is a true and correct copy of a screenshot from the page of Facebook's website entitled "Where can I view and edit my privacy settings for sponsored content? – Facebook Help Center," accessible at <https://www.facebook.com/help/?faq=15480> and last accessed on May 18, 2011.

4. Attached hereto as **Exhibit C** is a true and correct copy of a screenshot from the page of Facebook's website entitled "How can I control what my friends see in their News Feeds? – Facebook Help Center," accessible at <https://www.facebook.com/help/?page=935#!/help/?faq=15358> and last accessed on May 18, 2011.

5. Attached hereto as **Exhibit D** is a true and correct copy of a screenshot from the page of Facebook's website entitled "How can I control who can see things I post (for example: status updates, links, videos)?" – Facebook Help Center," accessible at <https://www.facebook.com/help/?page=935#!/help/?faq=12871> and last accessed on May 18, 2011.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 18, 2011, at Palo Alto, California.


Ana Yang Muller

1221356/SF